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August 20, 2018

BY ULS AND ELECTRONIC MAIL

Paul Malmud
Assistant Chief, Broadband Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
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paul.malmud@fcc.gov

Re: Applications of Northstar Wireless, LLC for New Licenses in the
1695-1710 MHz, and 1755-1780 MHz and 2155-2180 MHz Bands,
ULS File Number 0006670613, Report No. AUC-97 (Auction 97)

Dear Mr. Malmud:

Pursuant to the *Remand Order* and the *MO&O* issued in the referenced proceeding (and in ULS File Number 0006670667),¹ Northstar Wireless, LLC (“Northstar”) needs, and hereby

¹ *Northstar Wireless, LLC, SNR Wireless LicenseCo, LLC, Applications for New Licenses in the 1695-1710 MHz, and 1755-1780 MHz and 2155-2180 MHz Bands, Order on Remand*, 33 FCC Rcd 231 (WTB 2018) (“*Remand Order*”); *Northstar Wireless, LLC, SNR Wireless LicenseCo, LLC, Applications for New Licenses in the 1695-1710 MHz, and 1755-1780 MHz and 2155-2180 MHz Bands, Memorandum Opinion and Order*, FCC 18-98 (rel. July 12, 2018) (“*MO&O*”). As explained in the *Remand Order*, “the record for the remand proceeding . . . will encompass . . . the record for the original ULS filing (ULS File No. 0006670613 for Northstar . . .) and the filings associated with the new ULS file number made pursuant to these procedures).” *Remand Order*, 33 FCC Rcd at 232 n.12. The new ULS file number assigned as part of the Northstar June 8, 2018 submission in these proceedings is 0008243409, and this request will be filed under, and should be associated with, both ULS file numbers.

requests, as contemplated by the *Remand Order* or the *MO&O*,² an additional 45 days beyond September 6, 2018 to address issues raised by parties of record (including whether additional amendments should be made).

Under procedures set forth in the *Remand Order*, Northstar requested, and was granted, leave to submit materials contemplated by the *Remand Order* by June 8, 2018.³ In response to that Northstar submission, five entities filed pleadings on or about July 23, 2018.⁴ One such filing included a 37-page, single-spaced report styled as a “Preliminary Economic Analysis of the AWS-3 Auction.”⁵

Pursuant to the *Remand Order*, Northstar is given the “opportunity to further amend its agreements to address any issues raised in [the] filings . . .” within 45 days of the day on which comments on its submission were due.⁶ Pursuant to the *MO&O*, Northstar is given the opportunity to submit “a pleading to address any issues raised” in the filings within 45 days of the day on which comments on its submission were due.⁷ In each case, Northstar may request an additional 45 days to address issues raised.⁸

Northstar needs, and hereby requests, an additional 45 days to address issues raised in the aforementioned comments filed on or about July 23, 2018. Among other things, if the Commission is to consider claims set forth in the “Preliminary Economic Analysis of the AWS-3 Auction” submitted with the VTel Comments, Northstar must have the opportunity to address them. Likewise, notwithstanding VTel’s earlier observation that Northstar and SNR Wireless LicenseCo, LLC (“SNR”) have “amended their operating agreements to remove DISH’s

² See *Remand Order*, 33 FCC Rcd at 233; *MO&O* at ¶ 33 n.98.

³ See *MO&O* at ¶ 34 n.100.

⁴ Comments of VTel Wireless, Inc. (“VTel”), ULS File Nos. 0006670613 *et al.* (filed July 23, 2018) (“VTel Comments”); Comments of Multicultural Media, Telecom and Internet Council, ULS File Nos. 0006670613 *et al.* (filed July 23, 2018); Comments of T-Mobile USA, Inc., ULS File Nos. 0006670613 *et al.* (filed July 23, 2018); Comments of AT&T Services, Inc., ULS File Nos. 0006670613 and 0006670667 (filed July 23, 2018); Letter from James L. Winston, President, National Association of Black Owned Broadcasters, Inc., to Marlene H. Dortch, Secretary, FCC, ULS File Nos. 0006670613 *et al.* (filed July 23, 2018).

⁵ See VTel Comments, Appendix 3.

⁶ See *Remand Order*, 33 FCC Rcd at 233.

⁷ See *MO&O* at ¶ 33.

⁸ See *Remand Order*, 33 FCC Rcd at 233; *MO&O* at ¶ 33 n.98.

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influence over their businesses,”⁹ VTel now makes new claims about the Northstar-DISH transaction terms. Based on the *Remand Order*, which was affirmed in all relevant respects by the *MO&O*,¹⁰ Northstar understands that the Wireless Telecommunications Bureau “will adjust the timing for the filing window” as a result of this request.¹¹

Northstar and SNR have filed a Petition for Review and a Notice of Appeal of the *MO&O* with the United States Court of Appeals for the District of Columbia Circuit.¹² Northstar makes this submission without prejudice to that Appeal, which remains pending.

Pursuant to Sections 1.1202(b)(1) and 1.1208 of the Commission’s rules, 47 C.F.R. §§ 1.1202(b)(1), 1.1208, and the *Remand Order*, copies of this letter are being served on the entities or individuals set forth on the attached Certificate of Service.

Sincerely,

/s/ Mark F. Dever

Mark F. Dever
Counsel to Northstar Wireless, LLC

⁹ Letter from Bennett L. Ross, Counsel to VTel Wireless, Inc., to Marlene Dortch, Secretary, Federal Communications Commission, ULS File No. 0006670613, 0006670667, at 9 (filed May 4, 2018).

¹⁰ See *MO&O* at ¶¶ 1, 34.

¹¹ See *Remand Order* at 233 n.13. As it relates to the uniform “filing window,” this Northstar request applies to all material to be submitted by the September 6, 2018 deadline, including any FCC Form 601 and FCC Form 602. See, e.g., *id.* at 233.

¹² See Notice of Appeal, *Northstar Wireless, LLC v. FCC*, Petition for Review, Case No. 18-1209 (D.C. Cir. Aug. 2, 2018); Petition for Review, *Northstar Wireless, LLC v. FCC*, Case No. 18-1210 (D.C. Cir. Aug. 2, 2018) (together, referred to as the “Appeal”).

CERTIFICATE OF SERVICE

I, Matthew G. Baker, certify that true and correct copies of the foregoing Letter were delivered on August 20, 2018 by electronic mail (+) and/or United States mail, first class postage prepaid (*), to the following:

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† None of these petitioners included in its
Petition an address for service of this
document. The physical addresses set forth
here are based solely on information and
belief after conducting a reasonable search
and Attachment A of the *Remand Order*.

/s/ Matthew G. Baker

Matthew G. Baker